

Applicant : M. Mazurek et al.
Serial No. : 09/432,944
Filed : November 3, 1999
Page : 2

Attorney's Docket No.: 13290-
001001 / 46835USA5D.012

REMARKS

Applicants extend their gratitude to the Examiner for the telephonic interview held on July 18, 2001 with the undersigned. The following remarks provide a summary of the discussion.

Claims 1-15, and 32-43 are pending in this application. Claim 12 has now been cancelled.

The claims have been rejected under 35 USC 103(a) as being unpatentable over European Application 0 279 579. Applicants note that the outstanding Office Action cites the reference as "EP "570 to Bridgestone as set forth in the previous office action" (emphasis added). The prior office action mailed on Sept. 26, 2000 (Paper No. 8) cited "EP '579 to Bridgestone"; therefore Applicants believe the application number of the reference stated in the outstanding office action was a typographical error.

Applicant requests that the Examiner enter the claim amendment and reconsider and withdraw the rejections for the following reasons.

The invention, as now amended, relates to a coated substrate with a pressure sensitive adhesive having a microstructured surface comprising a series of features, each of the features having a height of about 2.5 to about 375 micrometers. Support for this amendment can be found in the written description, for example, at page 19, lines 15-16. The invention as instantly claimed, reflects the applicant's recognition that such features on a coated substrate, in combination with the chemical nature and rheological properties of the microstructured pressure sensitive adhesive, is important with respect to adhesion performance. Advantageously the invention provides a substrate having initial repositionability, yet is further capable of reduced, constant or long term adhesion as required by an intended application.

Applicants assert that the '579 reference does not render the presently claimed invention obvious. The '579 reference provides no guidance nor motivation to provide a coated substrate having features that each have a height of about 2.5 to about 375 micrometers. Furthermore, nowhere in the reference does it teach or suggest to a person of skill in the art the possibility of making such sized features and therefore such an investigator would have no expectation of success in obtaining a coated substrate with microscopic features, each feature having a height of about 2.5 to about 375 micrometers.

Applicant : M. Mazurek et al.
Serial No. : 09/432,944
Filed : November 3, 1999
Page : 3

Attorney's Docket No.: 13290-
001001 / 46835USA5D.012

As now claimed, the invention is defined over the prior art. Applicants respectfully request the amendment be entered and that the rejection be withdrawn. No new matter has been added. Claims 2-11, 13-15 and 32-43 ultimately depend from Claim 1, therefore it is submitted that these claims are also defined over the prior art, making all claims in condition for allowance.

Early notice of allowability of all claims is earnestly solicited. The Examiner is invited to contact the undersigned if it can assist in this application's prosecution.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 24 July 2001



Arlene L. Hornilla
Reg. No. 44,776

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

60048634.doc

Applicant : M. Mazurek et al.
Serial No. : 09/432,944
Filed : November 3, 1999
Page : 4

Attorney's Docket No.: 13290-
001001 / 46835USA5D.012

Version with markings to show changes made

In the claims:

Claim 12 has been cancelled.

Claim 1 has been amended as follows:

1. (three times amended) A coated substrate comprising a substrate coated on at least one side with a continuous layer of an unfilled pressure-sensitive adhesive, the pressure sensitive adhesive having a microstructured surface, wherein the microstructured surface of the pressure-sensitive adhesive comprises a series of features, each of the features having a height of about 2.5 to about 375 micrometers, and wherein at least two of three dimensions of each feature selected from the group consisting of (i) length, (ii) width, and (iii) depth or height are microscopic, wherein "microscopic" refers to features of small enough dimension so as to require an optic aid to the naked eye when viewed from any plane of view to determine its shape.